

#22/D

PATENT 85.5-6-05



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : W. Michael Kavanaugh et al.  
Application No. : 09/640,041  
Filed : August 15, 2000  
For : EGFH2 GENES AND GENE PRODUCTS

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Examiner : Michail A. Belyavskiy, Ph.D.  
Art Unit : 1644  
Docket No. : 59516-135 / PP-1615.002  
Date : April 28, 2003

Box RCE  
Commissioner for Patents  
Washington, DC 20231

PRELIMINARY AMENDMENT

Commissioner for Patents:

This Preliminary Amendment is filed with a request for RCE under 37 C.F.R. § 1.114. Pursuant to 37 C.F.R. § 1.114(c), this submission constitutes new arguments and evidence in support of patentability. Kindly enter the following amendment:

In the claims

Amend claims 1, 2, 3 and 14 to read as follows:

1. (Twice amended) An isolated nucleic acid molecule comprising a polynucleotide selected from the group consisting of:

D. 1 (a) a polynucleotide encoding a polypeptide comprising from amino acid 1 to amino acid 115 of SEQ ID NO:4;

(b) a polynucleotide encoding a polypeptide comprising from amino acid 2 to amino acid 115 of SEQ ID NO:4;